

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★

TELCO GROUP, INC., individually and on  
behalf of all persons similarly situated,

Plaintiff,

-against-

AMERITRADE, INC., ADVANCED  
CLEARING, INC. and AMERITRADE  
HOLDING CORPORATION,

Defendants.

PM. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_  
CIVIL ACTION NO. \_\_\_\_\_  
05 Civ. 1891 (ILG) (CLP)

**STIPULATION AND ORDER**

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
05 AUG -8 PM 3:35  
OFFICE OF THE CLERK

**IT IS HEREBY STIPULATED AND AGREED** by and between undersigned counsel  
for the plaintiff and defendants Ameritrade, Inc., Advanced Clearing, Inc. and Ameritrade  
Holding Corporation ("defendants"), that this action be transferred to the District of Nebraska  
pursuant to 28 U.S.C. § 1404(a) and that the time for the defendants to move, answer or  
otherwise respond to the Class Action Complaint in the above-captioned matter is extended to  
and including July 18, 2005, or 14 days after this matter lodges in the District of Nebraska,  
whichever is later in time. The defendants' original date to move, answer or otherwise respond  
was May 17, 2005.

The parties previously stipulated and agreed to extend the original date to June 17, 2005, and the Court so ordered that extension on May 25, 2005. This Stipulation is fully executed.

Dated: June 17, 2005

FOLKENFLIK & MCGERITY

By: 

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MAYER, BROWN, ROWE & MAW LLP

By: 

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(212) 506-2500  
Attorneys for Defendants

SO ORDERED: (

  
U.S.D.J.

6/20/05

MAYER  
BROWN  
ROWE  
& MAW

June 17, 2005

BY FACSIMILE

The Honorable I. Leo Glasser  
United States District Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

RECEIVED  
6/20/05  
OFFICE OF  
I. LEO GLASSER  
U. S. D. J.

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Re: Telco Group, Inc. v. Ameritrade, Inc. et al.  
No. 05 Cv. 1891 (ILG) (CLP)

Dear Judge Glasser:

We represent defendants Ameritrade, Inc., Advanced Clearing, Inc. and Ameritrade Holding Corporation in the above-captioned matter. Per the instructions of your clerk, this letter is meant to inform Your Honor that the parties have agreed to a transfer of this case to the United States District Court for the District of Nebraska, pursuant to 28 U.S.C. §1404(a) and a mandatory forum selection clause in the underlying contract. The parties have also agreed to an extension of the defendants' time to move, answer or otherwise respond to the Class Action Complaint in the above-captioned matter to and including July 18, 2005, or 14 days after this matter is lodged in the District of Nebraska, whichever is later in time. Enclosed for Your Honor's consideration is a Stipulation, signed by plaintiff's counsel and by us, setting forth the parties' agreements.

Respectfully submitted,



Steven Wolowitz

Enclosures

cc: Max Folkenflik, Esq.  
(Via Facsimile)

Berlin Brussels Charlotte Chicago Cologne Frankfurt Houston London Los Angeles New York Palo Alto Paris Washington, D.C.  
Independent Mexico City Correspondent: Jauregui, Navarrete y Nader S.C.

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